

**Senate Bill No. 1380**

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Passed the Senate August 26, 2010

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*Secretary of the Senate*

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Passed the Assembly August 19, 2010

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2010, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to add Section 17078.73 to the Education Code, relating to school facilities.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1380, Hancock. School facilities: construction.

Existing law establishes the Career Technical Education Facilities Program as a part of the Leroy F. Greene School Facilities Act of 1998 for the purpose of providing funding to qualifying local educational agencies for constructing new facilities or reconfiguring existing facilities, including purchasing equipment with an average useful life expectancy of at least 10 years, to enhance educational opportunities for pupils in existing high schools.

This bill would require school facilities constructed or modernized with specified bond funds set aside for career technical education purposes to be used for career technical education purposes for a minimum of 5 years. The governing board of an applicant school district would be required to adopt a resolution stating the intent to use those facilities for career technical education purposes and provide certification regarding that use during the first year of occupation. The bill would authorize the governing board of a school district to seek a waiver of the career technical education use requirement from the State Allocation Board if the facility or educational program of the school district changes during the initial 5 years of use and would specify criteria by which to evaluate the waiver request. This bill would require the governing board of school districts with projects approved by the board, as specified, to meet the evaluation criteria.

The bill would encourage school districts applying for a career technical education grant to include teachers of career technical education and members of the local career technical education advisory committee in the design and planning process.

The bill would authorize up to 25% of the funds provided for equipment to be used for the purchase of items or equipment with a life expectancy of at least 5 years.

*The people of the State of California do enact as follows:*

SECTION 1. Section 17078.73 is added to the Education Code, to read:

17078.73. (a) (1) School facilities constructed or modernized pursuant to this article shall be used for career technical education purposes for a minimum of five years. The governing board of an applicant school district shall submit a resolution adopted by the governing board stating the intent to use the facilities built or modernized with funds received pursuant to paragraph (4) of subdivision (a) of Section 101012 for career technical education purposes and shall provide certification regarding this use during the first year of occupation of the school facility. If the facility or educational program of the school district changes during the initial five years of use, the governing board may seek a waiver of the career technical education use requirement from the board. The department shall evaluate the waiver request pursuant to the following criteria and recommend to the board whether or not to grant the waiver:

- (A) Enrollment changes in the school district.
- (B) Enrollment changes in the career technical education program.
- (C) Changes in labor market demands.
- (D) Inability to hire teaching staff with the proper credentials.
- (E) The fiscal conditions of the school district.
- (F) Other factors presented by the governing board, as deemed appropriate and relevant by the department and board.

(2) The governing board of a school district with projects approved by the State Allocation Board pursuant to Section 101012 on or after January 1, 2011, shall meet the requirements specified in paragraph (1).

(b) A school district applying for a career technical education grant is encouraged to include teachers of career technical education and members of the local career technical education advisory committee in the design and planning process leading to the submission of an application that is a request for full funding or a reservation of funds.

(c) Qualifying equipment purchased with funds received pursuant to paragraph (4) of subdivision (a) of Section 101012 shall have a life expectancy of at least 10 years, except that up to

25 percent of the funds provided for equipment may be used for the purchase of items or equipment with a life expectancy of at least five years. A school district is encouraged to purchase energy efficient and environmentally preferable equipment.







Approved \_\_\_\_\_, 2010

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*Governor*